

Message Text

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TO AMEMBASSY OUAGADOUGOU

C O N F I D E N T I A L STATE 146378

E.O. 11652: GDS

TAGS:SHUM, UV

SUBJECT: HUMAN RIGHTS - UPPER VOLTA ACTION PLAN

REF: STATE 139160

1. THE GEOGRAPHIC BUREAUS HAVE BEEN TASKED TO PREPARE HUMAN RIGHTS EVALUATION REPORTS INCLUDING AN ASSESSMENT OF THE CURRENT CONDITION OF HUMAN RIGHTS IN EACH COUNTRY AND THE PROPOSED OBJECTIVES AND RECOMMENDATIONS FOR IMPROVING THOSE CONDITIONS. GUIDELINES AND FORMAT INCLUDED IN REFTEL.

2. THIS CABLE TRANSMITS THE DESK'S DRAFT REPORT FOR YOUR COMMENTS. YOUR RESPONSE IS REQUESTED BY JUNE 28 SO THAT THE BUREAU CAN MEET THE SUBMISSION DATE OF JULY 1. SLUG CABLE FOR AF DISTRIBUTION ONLY.

3. THE INFORMATION CONTAINED IN THE COUNTRY EVALUATION
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WILL BE CLASSIFIED IN ACCORDANCE WITH EXECUTIVE ORDER 11652. REPORTS WILL BE USED AS SOURCE MATERIAL FOR THE PREPARATION OF ANNUAL HUMAN RIGHTS REPORTS ON ALL COUNTRIES WHICH ARE RECIPIENTS OF US SECURITY ASSISTANCE, AND WILL BE SUBMITTED TO THE DEPARTMENT'S HUMAN RIGHTS COORDINATING COMMITTEE, CHAIRED BY THE DEPUTY SECRETARY.

4. A. CONDITION OF HUMAN RIGHTS IN UPPER VOLTA.

UPPER VOLTA WAS PART OF FRENCH WEST AFRICA PRIOR TO INDEPENDENCE IN 1960. THE GOVERNMENT OF UPPER VOLTA, REPUBLICAN IN FORM, HAS A VERY STRONG EXECUTIVE. THE MILITARY ASSUMED CONTROL IN 1966. POLITICAL ACTIVITY WAS BANNED FOR FOUR YEARS, AFTER WHICH ANOTHER CONSTITUTION WAS APPROVED BY REFERENDUM. THE 1970 CONSTITUTION WAS SUSPENDED ON FEBRUARY 8, 1974, WHEN, IN THE FACE OF VIRTUAL GOVERNMENT PARALYSIS, PRESIDENT LAMIZANA DISSOLVED THE NATIONAL ASSEMBLY AND REORGANIZED THE GOVERNMENTAL STRUCTURE. POLITICAL ACTIVITY WAS AGAIN BANNED AT THAT TIME. SINCE THEN, UPPER VOLTA HAS BEEN RULED BY PRESIDENTIAL DECREE. THE MILITARY LEADERSHIP OF UPPER VOLTA HAS ANNOUNCED THAT IT PLANS TO RETURN THE COUNTRY TO CIVILIAN RULE IN THE NEAR FUTURE. A NEW CONSTITUTION HAS BEEN DRAFTED, AND A TIMETABLE SUGGESTED FOR RETURN TO CIVILIAN RULE. ACCORDING TO THE PROPOSED TIMETABLE, NATIONAL ELECTIONS WILL BE HELD IN LATE 1977. IT IS EXPECTED THAT THE THREE FORMER POLITICAL PARTIES IN EXISTENCE BEFORE 1974 WILL BE REORGANIZED. ALTHOUGH THESE PROPOSALS HAVE NOT YET BEEN FORMALLY APPROVED BY THE VOLTAN COUNCIL OF MINISTERS, NOR SUBMITTED AS A REFERENDUM TO THE PEOPLE, IT IS THE STATED GOAL OF THE GOVERNMENT TO REINSTATE A PARTICIPATORY, CONSTITUTIONAL FORM OF GOVERNMENT IN UPPER VOLTA.

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(1) RESPECT FOR THE INTEGRITY OF THE PERSON.

THE RIGHT TO LIFE, LIBERTY, PROPERTY AND THE SECURITY OF THE PERSON IS RESPECTED IN UPPER VOLTA. TORTURE, CRUEL AND INHUMAN OR DEGRADING TREATMENT AS PUNISHMENT DO NOT APPEAR TO EXIST IN UPPER VOLTA. TO OUR KNOWLEDGE THERE HAVE BEEN NO INCIDENTS OF ARBITRARY ARRESTS OR IMPRISONMENT IN RECENT YEARS. ALL INDICATIONS ARE THAT THERE ARE PRESENTLY NO POLITICAL PRISONERS IN UPPER VOLTA. THE RIGHT TO A FAIR PUBLIC HEARING AND TRIAL IS GENERALLY OBSERVED. THE HOME IS CONSIDERED INVIOABLE AND A SEARCH WARRANT CAN ONLY BE OBTAINED UNDER CONDITIONS SPECIFIED BY LAW.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

CIVIL LIBERTIES SUCH AS FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY ARE RESPECTED. ALL INDIVIDUALS ARE EQUAL BEFORE THE LAW REGARDLESS OF SEX, RACE, ETHNIC ORIGIN, RELIGION OR POLITICAL BELIEFS. LEGAL REDRESS AGAINST DISCRIMINATION IS AVAILABLE THROUGH UPPER VOLTA'S LEGAL SYSTEM WHICH IS

BASED ON FRENCH LEGAL PRINCIPLES AND DOCTRINES. FREEDOM OF MOVEMENT IS UNRESTRICTED, AND THERE ARE NO CONTROLS ON FOREIGN TRAVEL OR EMIGRATION.

(3) GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD AND SHELTER.

AS ONE OF THE POOREST NATIONS IN THE WORLD, UPPER VOLTA HAS ACTIVELY SOUGHT FOREIGN ASSISTANCE TO IMPROVE THE LIVING CONDITIONS OF ITS CITIZENS. THE PRESENT GOVERNMENT HAS DEVELOPED PROGRAMS WITH FOREIGN ASSISTANCE DONORS TO FULFILL BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE, AND EDUCATION. THE GOVERNMENT HAS BEEN RELATIVELY SUCCESSFUL
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IN ITS EFFORTS TO PURSUE ECONOMIC DEVELOPMENT PROGRAMS WITH EXTERNAL ASSISTANCE. IT ALSO WAS ABLE TO SECURE IN EARLY 1977, EMERGENCY FOOD ASSISTANCE FOR THE DROUGHT-STICKEN AREAS OF UPPER VOLTA.

(4) UPPER VOLTA'S HUMAN RIGHTS RECORD.

THE GOVERNMENT OF UPPER VOLTA OBSERVES RIGHTS AND FREEDOMS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. THERE IS NO EVIDENCE THAT ANYONE HAS BEEN JAILED OR DETAINED WITHOUT TRIAL IN RECENT YEARS. THE RIGHT TO A FAIR PUBLIC HEARING IS GENERALLY OBSERVED. THE RIGHT TO OWN PROPERTY IS GUARANTEED INCLUDING COMPENSATION FOR PROPERTY SEIZED BY THE GOVERNMENT UNDER THE RIGHT OF EMINENT DOMAIN. FREE ENTERPRISE IS PROTECTED AS IS THE RIGHT TO STRIKE.

5. A. WILLINGNESS AND PAST RECORD REGARDING INDEPENDENT OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS

WE ARE UNAWARE OF ANY CLAIM OF ALLEGED HUMAN RIGHTS VIOLATIONS IN UPPER VOLTA. THE UPPER VOLTAN GOVERNMENT WOULD PROBABLY ALLOW OUTSIDE INVESTIGATION OF HUMAN RIGHTS VIOLATIONS, PROVIDED LEGITIMATE CONCERN WERE EXPRESSED.

5. B. ANALYSIS AND RECOMMENDATIONS

(1) OUR OBJECTIVES IN THE NEAR AND MID-TERM FUTURE SHOULD BE TO ENCOURAGE UPPER VOLTA TO BROADEN ITS SUPPORT OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. WE SHOULD CONTINUE TO MAKE KNOWN OUR SUPPORT OF DEMOCRATIC INSTITUTIONS AND BELIEFS. THE CURRENT PRACTICE OF REPORTING USG HUMAN RIGHTS CONCERNS AND PROPOSALS FULLY AND DIRECTLY TO THE HIGHEST LEVELS IN THE GOUV SHOULD BE
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CONTINUED.

(2) GIVEN UPPER VOLTA'S RATHER GOOD HUMAN RIGHTS POSITION, REACTIONS TO OUR INITIATIVES OUTLINED ABOVE HAVE BEEN FAVORABLE AND ARE LIKELY TO REMAIN SO.

(3) OUR INITIATIVES SHOULD CONTINUE TO ENCOURAGE UPPER VOLTA TO SUPPORT HUMAN RIGHTS ISSUES AND TO ASSUME A MORE ACTIVE ROLE AS A SPOKESMAN FOR HUMAN RIGHTS.

(4) UPPER VOLTA'S HUMAN RIGHTS RECORD DOES NOT JUSTIFY ANY PUNITIVE USG ACTIONS.

(5) WE CAN EXPECT UPPER VOLTA TO SUPPORT USG EFFORTS TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL OR NON-GOVERNMENTAL ORGANIZATIONS. CHRISTOPHER

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